

AMENDED IN SENATE MARCH 27, 2006

SENATE BILL

No. 1539

Introduced by Senator Kehoe

February 23, 2006

An act to add Section 379.9 to the Public Utilities Code, relating to energy resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1539, as amended, Kehoe. San Diego Association of Governments Energy Working Group.

Under existing law, the Public Utilities Commission (commission) has regulatory authority over public utilities and is authorized to establish its own procedures, subject to statutory limitations or directions and constitutional requirements. The existing Public Utilities Act provides compensation for reasonable advocate's fees, reasonable expert witness fees, and other reasonable costs to public utility customers for participation or intervention in any proceeding of the commission based, in part, upon whether the intervenor would experience significant financial hardship.

This bill would state the intent of the Legislature that the commission and the State Energy Resources Conservation and Development Commission (Energy Commission) ~~allocate~~ *consider allocating* existing funds to reimburse the San Diego Association of Governments Energy Working Group, *or the coalition, as defined, or both*, for certain costs incurred by ~~working group~~ *these entities* in participating in specified proceedings of the commission, the Energy Commission, and the working group, and certain other energy-related activities. The bill would make related legislative findings and declarations. *The bill would require the commission and the Energy*

Commission to enable and facilitate the review and analysis by regional stakeholders through the San Diego Association of Governments Energy Working Group, or the coalition, or both in any proceeding of the commission or the Energy Commission.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 379.9 is added to the Public Utilities
2 Code, to read:
3 379.9. (a) As used in this section:
4 (1) *“Coalition” means the collaboration among the San Diego*
5 *Association of Governments Energy Working Group and other*
6 *entities within the San Diego region, including, but not limited to,*
7 *the San Diego Regional Energy Office and San Diego Gas and*
8 *Electric Company, that has been established to implement the*
9 *San Diego Regional Energy Strategy, as adopted by the San*
10 *Diego Association of Governments Energy Working Group*
11 *Board of Directors in 2003.*
12 ~~(1)~~
13 (2) *“Energy Commission” means the State Energy Resources*
14 *Conservation and Development Commission.*
15 ~~(2) “Working group” means the San Diego Association of~~
16 (3) *“SANDAG” means the San Diego Association of*
17 *Governments Energy Working Group.*
18 (4) *“SDG&E” means the San Diego Gas and Electric*
19 *Company.*
20 (5) *“SDREO” means the San Diego Regional Energy Office.*
21 (6) *“Sustainable Communities program” means a program*
22 *that assists local governments to analyze energy efficiency,*
23 *demand response, and distributed generation measures, and to*
24 *develop an implementation plan that will enable them to*
25 *maximize the benefits of these measures.*
26 (b) The Legislature finds and declares all of the following:
27 (1) The purpose of this section is to encourage the commission
28 and the Energy Commission to enable and facilitate the
29 ~~participation of the working group in its participation or~~
30 ~~intervention~~ *review and analysis by regional stakeholders*
31 *through SANDAG, or the coalition, or both SANDAG and the*

1 *coalition* in any proceeding of the commission or the Energy
2 Commission.

3 ~~(2) The participation of the working group in proceedings~~
4 ~~should be promoted and encouraged where that participation~~
5 ~~substantially contributes to orders and decisions of the~~
6 ~~commission or the Energy Commission and that participation is~~
7 ~~in the public interest.~~

8 *(2) The involvement of SANDAG, or the coalition, or both*
9 *SANDAG and the coalition in commission or Energy*
10 *Commission processes should be promoted and encouraged*
11 *where that review and analysis by regional stakeholders*
12 *substantially contributes to orders and decisions of the*
13 *commission or the Energy Commission, and that involvement is*
14 *in the public interest.*

15 (3) The Legislature encourages the ~~participation of the~~
16 ~~working group~~ *review and analysis by regional stakeholders*
17 *through SANDAG, or the coalition, or both SANDAG and the*
18 *coalition in state policymaking processes.*

19 (c) It is the intent of the Legislature that all of the following
20 should occur:

21 ~~(1) The Energy Commission should allocate existing funds to~~
22 ~~reimburse the working group for those costs the working group~~
23 ~~incurs in participating in all of the following proceedings:~~

24 *(1) The commission, the Energy Commission, and other state*
25 *agencies should consider allocating existing funds to SANDAG,*
26 *or the coalition, or both SANDAG and the coalition to be actively*
27 *involved in, but not limited to, all of the following:*

28 (A) The Integrated Energy Policy Report of the ~~State Energy~~
29 ~~Resources Conservation and Development~~ Commission pursuant
30 to Section 25302 of the Public Resources Code.

31 (B) The state Energy Action Plan II.

32 (C) The improvement of energy security and resource
33 enhancement through in-region distributed generation.

34 *(D) The SDG&E Long Term Resources Plan proceeding of the*
35 *commission.*

36 ~~(2) The commission should reimburse the working group from~~
37 ~~existing funds for the costs incurred by the working group in the~~
38 ~~San Diego Gas & Electric Corporation Long Term Resources~~
39 ~~Plan proceeding of the commission (Rulemaking No. 04-04-003).~~

40 (3)

(2) The commission *and the Energy Commission* should ~~allocate~~ *consider allocating* existing funds to support regional planning and the implementation of energy-related policy by ~~the working group SANDAG, or the coalition, or both SANDAG and the coalition~~ to achieve regional energy goals and optimize the beneficial social, economic, and environmental impacts of essential energy infrastructure not required of investor-owned utilities, including, but not limited to, all of the following:

(A) Transportation fuels *in SANDAG's role as transportation planning agency, identifying strategies to reduce the fuel consumption rate through transportation and use choices, and transportation mode choices.*

(B) Transportation corridors *that identify strategies to utilize long-range transportation planning processes to plan for re-location of utility infrastructure .*

(C) ~~Border~~ *International border* issues related to energy policy.

(D) Implementation of the energy goals of the state.

(E) *Creation of a model sustainable communities program for the San Diego region.*

~~(4)~~

(3) The commission *and Energy Commission* should ~~allocate~~ *consider allocating* existing funds to ~~reimburse the working group for the costs of the use of subject matter experts, including, but not limited to, the San Diego Regional Energy Office and the Energy Policy Initiative Center, to provide assistance and education to the working group in SANDAG, or the coalition, or both SANDAG and the coalition for the use of subject matter experts, including, but not limited to, SDREO or other experts deemed necessary to provide assistance and education to SANDAG in development and implementation of energy management plans to advise local governments in the effective implementation of renewable energy projects, green building options, and energy efficiency. The plans should also include funding initiatives to facilitate the implementation of the loading order that is included in the Energy Action Plan II.~~

(d) The commission and the Energy Commission shall enable and facilitate the review and analysis by regional stakeholders through SANDAG, or the coalition, or both SANDAG and the

- 1 *coalition in any proceeding of the commission or the Energy*
- 2 *Commission.*

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